



News and Information

Alabama Board of Licensure for Professional Engineers & Land Surveyors

May 2002

The Board's Bulletin

Board Member Named to the Alabama Geographic Information Council

By Executive Order No. 68, Governor Siegelman created the Alabama Geographic Information Council (AGIC). Mr. Veston Bush, Jr., PLS, and the current Chair of the Board of Licensure for Professional Engineers and Land Surveyors has been appointed to this Council.

AGIC has as its duties to develop a strategic management plan to guide the development and implementation of Geographic Information System (GIS) technology in Alabama. Some issues to be addressed are: database development, establishing standards, data sharing, and determining the method for development of accurate digital basemaps. A report is to be presented to the Governor on September 21, 2002.

The Board of Licensure for PE and LS has already begun to look into the issue of what aspects of mapping are within the definition of surveying and how to license the individuals who perform that mapping. A working group, chaired Mr. Bush and comprised of representatives from the engineering, surveying, mapping, and photogrammetry community, has been meeting to provide recommendations to the Board. This group will be incorporating in their recommendations the report developed by the AGIC and the NCEES Task Force on the Model Law for Surveying.

Hello and Goodbye

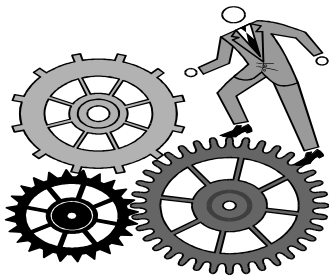
The newest Board member is Dr. Charles D. Haynes. Dr. Haynes is a professional engineer who is a faculty member at the University of Alabama. His background is in mining and petroleum engineering. He is active in the Society of Petroleum Engineers; Society of Mining, Metallurgical, and Exploration Engineers; Alabama Society of Professional Engineers and American Society of Civil Engineers.

Dr. Haynes replaced Mr. James R. Montgomery whose term as a board member expired on April 22, 2002. A special thank you to Mr. Montgomery for the guidance and wisdom he provided the Board.

Last year also saw the retirement of Mr. Dave Morgenstern from the Board staff. Mr. Morgenstern was the Assistant Executive Director/Investigator of the Board for the past 10 years. Mr. William R. (Rick) Huett replaced Mr. Morgenstern and comes to us from the Montgomery Police Department.

Inside this Issue

Eng/Geology Agreement -----	2
Disciplinary Actions -----	3
Board Meeting Dates -----	4
Exam Corner -----	5
Exam Stats -----	6
Preliminary Plans/Plats -----	7
Board of Licensure -----	7
Short Notes -----	8
In Memorium -----	10



Engineering and Geology Task Force

What are the roles of a licensed professional engineer (PE) vs. a registered professional geologist (PG)? What functions are unique to engineering? What functions are unique to geology? Is there incidental practice between the two professions?

These are just a few of the questions that were asked to both the Board of Licensure for Professional Engineers and Land Surveyors and the Board of Registration for Professional Geologists. To consider these questions, the two boards agreed to form a task force. In addition to a representative from each board, this task force was comprised of members of engineering and geology societies.

The year-long effort of the task force culminated with a resolution being presented to both boards. Both boards have agreed to the proposed resolution. The major points in the resolution are:

1. In a disciplinary case when an individual or a corporate professional is cited for unacceptable performance, as a result of reaching beyond the professional's qualifications, to a licensure board (other than the one granting his/her license), the case would be referred to the board issuing the license for hearing and disposition.
2. Each licensure board should maintain an adequate descriptive, inclusive statement of the areas for which its professionals could be qualified and accredited. Such inclusive descriptions (not exclusive lists explicitly or by implication) should be specific enough for clients and government agencies representing the public to determine if a professional's work as presented to the public agency is likely to be within his or her normal range of experience.
3. The Engineering and Geology Boards should

maintain a joint-board liaison committee composed of Board members and licensed technical professionals as are, from time to time, appropriate. This committee should examine complaints, if possible, prior to their being taken up by the designated professional board. The liaison committee should consist of one Geology Board member and one appropriate professional geologist and like representation from the Engineering Board.

4. Public agencies specify, as part of their regulations, the functions or tasks in which professionals must measure their qualifications to make recommendations or to furnish submittals. It is not correct to presume that every licensed engineer or every licensed geologist is adequate for all assignments in engineering or geology, respectively. It is reasonable that a licensee should: 1. cite his/her capability (and limitations) to satisfy an assignment; and 2. certify to his/her subspecialty capability.
5. The individual or corporate professional is responsible for using his/her license number and providing qualifying experience with his/her proposal or product, particularly in any "gray area," or when requested by a client, zoning board, or other public agency or licensure board. "Gray areas" include areas in which the licensure credentials for professional geology or engineering may overlap.
6. The establishment of a standing liaison committee between the two licensure boards is recommended.

The Board of Licensure for PE and PLS is working to establish the items identified by the Task Force Memorandum. As a reminder, Canon II of the Code of Ethics states that as licensed engineers you will only practice engineering in fields in which you are qualified by education and/or experience. The incidental practice of geology can be described in the same manner as the incidental practice of architecture. There can be no specific definition of incidental practice, but that doesn't mean that an engineer can legally perform all aspects of geology work, the same as a geologist can not do all aspects of engineering work.

Disciplinary Action

The Board office receives and processes complaints regarding engineering and land surveying activities. Investigations were conducted which resulted in administrative actions which are not considered disciplinary actions and are not listed in the below disciplinary actions. Administrative actions include closing unsubstantiated complaints, letters of warning, and cease and desist letters.

Formal Disciplinary Actions

Negligence

Richard B. Klein, PE 16971, Delray Beach, FL, agreed in a consent order to the surrender of his AL PE license due to his FL PE license being surrendered as a result of uncontested negligence concerning an engineering project he completed.

suspension, and two years probation upon completion of the suspension. Mr. Chapman's suspension has been completed.

Michael E. Stovall, PE 12682, Athens, AL, agreed to a consent order for not being in responsible charge of an unlicensed individual and violating State Health Department Rules regarding the conduct of percolation tests. Mr. Stovall agreed to a \$2,000 fine, stayed suspension and two years probation.

Incompetency

Harry W. Watkins, Jr., PE/LS 11375, Birmingham, AL, agreed to a consent order for completing the entire set of building design plans which had numerous errors, omissions, and code violations. Mr. Watkins agreed to a \$500 fine.

Victor J. Apodaca, III, PE/LS 18105, Colorado Springs, CO, formerly a resident of Tuscaloosa, AL, agreed to a consent order for falsifying a field density report completed by another professional engineer. Mr. Apodaca agreed to pay a \$500 fine; to take the Texas Tech's, or equivalent ethics course; and that his PE license will be suspended a minimum of 6 months and will not be reinstated until the completion of the ethics course. Mr. Apodaca's license has been reinstated.

Samuel F. Johnson, Jr., PE 12021, Pensacola, FL, agreed to a consent order for completing a set of condominium structural plans that contained errors, omissions, and possible code violations, and his firm was not certificated with the Board. Mr. Johnson agreed to pay a \$2,500 fine; to a two-year stayed suspension, to two years probation, and he shall submit to the Board building plans for the next three Alabama projects that have been submitted for construction and/or permitting for construction within 30 days after submission.

David L. Lyle, PE 10383, Mobile, AL, agreed to a consent order for certifying a set of plans that were prepared by a draftsman not under Mr. Lyle's supervision and that there were several errors and omissions of acceptable standards of practice of engineering. Mr. Lyle agreed to pay a \$500 fine, to a two-year stayed suspension, and to a two-year probation.

Donald E. Pruett, PE 2874, Montrose, AL, agreed to a consent order for certifying a set of interior, plumbing, structural, and civil design plans for a church gymnasium for which he was not competent by education or experience to certify. Mr. Pruett agreed to pay a \$1,500 fine, to a stayed suspension, to a two-year probation, and his firm will cease and desist offering/performing engineering services until it becomes certified.

Billy R. Martin, PLS 10559, Sylacauga, AL, agreed to a consent order for allowing a non-licensed employee, his son, to sign his signature to survey plats bearing his seal during the period 1997 to 2000. Mr. Martin agreed to a \$1,000 fine, to a two-year stayed suspension, and to a two-year probation.

Marvin L. Rawls, PE 5962, Satsuma, AL, agreed to a consent order for completing a set of church gymnasium drawings that contained errors, omissions and code violations. Mr. Rawls agreed to a \$500 fine, to a stayed suspension, and to two years probation.

Thomas L. Pounds III, PE 11744, Mobile, AL, agreed to a consent order for certifying a one-page manufacturer's drawing which was not prepared under his responsible charge. Mr. Pounds agreed to pay a \$500 fine, to a two-year stayed suspension, and to a two-year probation.

Misconduct

George M. Chapman, PE 20661, Montgomery, AL, agreed to a consent order for misleading a client, not signing or sealing plans, and his firm not being certificated with the Board. Mr. Chapman agreed to a \$2,000 fine, a one-year

Charley C. Davis, PE/PLS 12512, Crossville, AL, pleaded guilty to a felony in the DeKalb County Circuit Court for the unlawful distribution of a controlled substance and was sentenced to eight years confinement. Based on that conviction, Mr. Davis agreed to a consent order revoking his PE/PLS license and that the Board shall not consider

Disciplinary Action continued on page 4

Disciplinary Action

continued from page 3

the re-issuance of a certificate of licensure until his civil rights have been restored and then a unanimous vote of the Board will be required.

Jack W. Loden, PLS, 10681, Hamilton, AL, agreed to a consent order for failure to comply with a court order and for numerous Minimum Technical Standards violations. Mr. Loden had been paid \$1,480 by a client to complete a survey, but had never provided a copy of the survey plat to the client. The investigation determined that Mr. Loden had been sued by the client resulting in a judgment for the client ordering Mr. Loden to pay the client \$1,512 which had not been paid. Mr. Loden agreed to pay a \$500 fine, to a two-year stayed suspension, to a two-year probation, to completing a 6-hour MTS course within six months, and to comply with the court order within 30 days.

Practice on Lapsed License and Failure to Complete Contract

Gregory J. Martin, PLS 18115, Birmingham, AL, was found guilty at a Formal Hearing for entering into a written contract to provide land surveying services after his license lapsed and failing to complete the terms of the contract for which he was paid. The board revoked his AL PLS license, fined him \$12,000, and ordered him to pay \$183 for the cost of the board's actions.

Practice on Lapsed License and not Complying with Approved Standards of Engineering

Harold Pridgen, PE 9309, Pensacola, FL, was found guilty at a Formal Hearing for completing an AL engineering project when his AL license was lapsed, and that the design plans for this building had numerous errors, omissions, and code violations. The board fined Mr. Pridgen \$4,000, stayed suspension with four years probation, and he was to submit to the Board building plans for the next three Alabama projects that had been submitted for construction within 30 days of submission.

John H. Elamad, PE 18409, Destin, FL, agreed to a consent order that he had performed engineering services on a lapsed license and used unapproved standards of prac-

tice in a set of plans for a condominium in Orange Beach. Mr. Elamad agreed to surrender his PE license, and he agreed that he neither admitted nor denied whether there were errors/omissions/code violation on his plans.

Unlicensed Practice

Patrick A. Turner, Vernon, AL, agreed to a consent order for performing land surveying services without being licensed. He agreed to a \$1,000 civil penalty that was stayed contingent that he cease and desist offering and/or performing land surveying services until he becomes licensed with this Board, and to pay \$700 for the cost of the board action.

Bryan A. Shirley, Opelika, AL, agreed to a consent order for performing land surveying services without being licensed. He agreed to a \$1,500 civil penalty, to pay \$336 for the cost of the board action, to repay two clients a total of \$1,400, and to cease and desist offering and/or performing land surveying until he should become licensed with the Board.

Temple A. Ennis, Livingston, AL, agreed to a consent order for performing land surveying services without being licensed. He agreed to a \$3,000 civil penalty that was stayed contingent that he cease and desist offering and/or performing land surveying services until becoming licensed with this Board, and to pay \$418 for the cost of the board action.

Richard E. Gipson, Prattville, AL, agreed to a consent order for performing land surveying services without being licensed. He agreed to a \$3,000 civil penalty which was stayed contingent that he cease and desist offering and/or performing land surveying services until becoming licensed with this Board, to pay \$524 for the cost of the board action, and to repay two clients a total of \$1,250.

William N. Crosby, Bay Minette, AL, agreed to a consent order for performing land surveying for a client without being licensed when he completed a survey for a client in 1999. Mr. Crosby agreed to a \$1,000 civil fine and to pay \$392 for the cost of the Board action; and he agrees to cease and desist offering/performing land surveying until he should become licensed with the Board.

Kirk S. Kreamer, Decatur, AL, and TCE Environmental Services Inc. agreed to a consent order for offering/performing engineering services for a client regarding a proposed care center in Madison, AL without being licensed and the firm not having a certificate of authorization. Mr. Kreamer agreed to pay a \$2,500 civil penalty, to pay \$532 for the cost of the Board action, and he and the firm agreed to cease and desist offering or performing engineering until such time as they should become licensed/certificated.

Year 2002 Board Meeting Dates

<i>February 19-20, 2002</i>	<i>August 23, 2002</i>
<i>April 26, 2002</i>	<i>November 15, 2002</i>
<i>June 14, 2002</i>	

Disciplinary Action continued on page 9

Exam Corner

Principles and Practice of Engineering Examinations Format - All PE examinations, with the exception of Structural II, are now 100% multiple choice. The civil, electrical, and mechanical examinations are depth and breadth format. For those three disciplines, all candidates will take the same test in the morning (breadth) and then will select a subspecialty examination for the afternoon (depth.)

Design Standards being Updated - The Structural Design standards of the Civil, Structural I, and Structural II PE examinations will change with the April 2003 administration. The Transportation Design standards of the Civil PE examination will change with the April 2003 administration. The Chemical Engineering PE examination will have revised specifications for the April 2003 administration.

Materials allowed in the Test Room - Beginning with the April 2002 exams, no writing instruments other than those provided at the exam location will be allowed.

New PE and FE Examination Options - Two new PE discipline examinations are being offered -- Naval Architecture and Marine Engineering, and Architectural Engineering (April 2003). A new Environmental option is now available for the FE examination.

2002 Exam and Filing Dates

Examination	Exam Date	Filing Deadline
Fundamentals of Engineering	Apr 20 Oct 26	Feb 20 Aug 26
Principles & Practice of Engineering	Apr 19 Oct 25	Feb 1 Aug 1
Fundamentals of Land Surveying	Apr 20 Oct 26	Feb 1 Aug 1
Principles & Practice of Land Surveying	Apr 19 Oct 25	Feb 1 Aug 1
Alabama Stand., History & Law	Apr 19 Aug 21 Oct 25	Feb 1 May 31 Aug 1



NCEES Posts Online Diagnostic Exam

Mirroring the development of the new examination format, the National Council of Examiners for Engineering and Surveying (NCEES) has developed new preparation materials for civil PE candidates.

Internet Practice Examination -- Civil PE candidates can now take a timed mini-examination via the Internet. This online product offers the candidate the opportunity to sit for what amounts to half an exam, with half the number of questions administered in half the amount of time given during a real exam. Candidates can purchase the Internet practice exam and take the exam in whole or in parts, at their convenience. Upon completing each module (morning breadth and afternoon depth), the candidate will receive feedback on their responses, including the correct solution. The Internet Practice Examination may be accessed at the NCEES web site, www.ncees.org.

Sample Questions and Solutions publication-- Sample questions are also available in a hard-copy format. This book features sample questions in each of the civil PE modules (morning breadth and five afternoon depth modules), complete with solutions and other information regarding the civil PE examination. The Sample Questions and Solutions book may be purchased using the NCEES web site or by calling NCEES customer service at 1-800-250-3196.

EXAM STATISTICS

National Exams

	October 1999		April 2000		October 2000		April 2001		October 2001	
	AL	USA	AL	USA	AL	USA	AL	USA	AL	USA
FE Exams										
All Candidates										
Number Taking	328	15,753	534	21,559	398	15,621	486	21,347	404	16,461
% Passing	55	***	55	***	60	***	51	***	57	***
ABET Graduates										
Number Taking	310	11,742	501	17,186	372	11,546	455	16,989	379	12,240
% Passing	56	***	57	***	61	***	53	***	58	***
PE Exams										
All Candidates										
Number Taking	207	12,844	161	13,453	194	13,466	162	13,113	200	13,625
% Passing	38	***	42	***	48	***	41	***	51	***
LS Exams										
Fundamentals of LS										
Number Taking	30	1,485	23	1,792	23	1,491	37	1,559	32	1,258
% Passing	33	38	39	43	56	45	49	48.6	25	38.9
Principles and Practice of LS										
Number Taking	27	989	19	1,103	20	886	42	1,000	21	772
% Passing	48	45	63	54	65	49	74	56.1	76	53.1

*** NCEES Statistics no longer kept in this format. Please check on NCEES web site, www.ncees.org, for statistical breakouts.

Alabama Specific Exam

	10/99	2/00	4/00	8/00	10/00	2/01	4/01	8/01	10/01
AL Stand., History & Law									
Number Taking	21	8	17	5	17	5	45	6	19
% Passing	52	88	94	100	82	100	80	100	74

Submittal of Preliminary Plans/Plats

At what point of completeness do you submit plans to building officials? Whose responsibility is it to produce drawings? What does it mean to place one's seal on drawings? During the course of investigations this year, these questions and more have been raised.

The Board is concerned that many professional engineers feel that it is acceptable to submit a draft to building officials and then finish them once they receive comments back from the officials. You may, or may not be surprised, that a professional engineer told the Board that he knew the plans he submitted were incomplete and he had fully intended to finish the plans once he had received the comments and corrections from the building officials. The only reason the plans were submitted was to get a building permit.

As a professional engineer it is your responsibility to do your job, which includes knowing the codes that apply to the area of design. It is **NOT** a building official's responsibility to do your job. Reviewing/permitting authorities are not the design professionals. They are not there to correct your plans or finish your drafts. You have not performed your professional responsibilities if the reviewing authority has to correct your design.

There are times when you might be called upon to submit preliminary plans. Rule 330-X-11-.03(5) of the Administra-

tive Code states that working drawings consisting of sketches, reports, or otherwise a work product which is in whole or part intended to communicate work to be performed or for use in specific proposals and/or becomes a part of defining the scope of a contract for work, must be sealed, signed and dated by the licensee who prepared these documents or under whose direct control and personal supervision they were prepared. However, if these plans or documents are preliminary, incomplete, or not intended for construction or permitting, the plans or documents should be marked accordingly. Failure to properly mark preliminary drawings causes recipients of these documents to believe that since they are certified, they are final and therefore complete.

The State of Alabama licenses individuals as professional engineers and professional land surveyors. It does not license by a specific discipline, but that does not mean that a licensee has carte blanche in signing and sealing multiple disciplines for the entire project. Our law is very specific that a licensee only practices in the areas in which he or she is competent. When building officials have questions, if a PE is competent in a specific area or multiple disciplines, they frequently ask for an opinion of the Board.

Whether it be a preliminary survey plat or a preliminary project design, you are responsible.



What is the Board of Licensure?

The Alabama Board of Licensure for Professional Engineers and Land Surveyors is one of the oldest licensing boards in the state. It's mandate from the Alabama Legislature is to provide for the oversight of the engineering and surveying professions. This oversight is done through the establishment of minimum qualifications for entry into the professions of engineering and land surveying, through the adoption of rules defining and delineating unlawful or unethical conduct, and through swift and effective discipline for those individuals or entities who violate the applicable laws or rules.

The Board is comprised of five board members, four professional engineers and one land professional surveyor. The members are appointed by the Governor from a list of nominees submitted by the nominating committee. This committee is comprised of members from the seven soci-

eties outlined in our Licensure Law, Section 34-11-30.

There are certain specific requirements for an individual to be considered for nomination to the Board. Those requirements are in Section 34-11-31 of the Licensure Law. The nominating committee meets at the call of the Board's Executive Director. When a quorum for the meeting is determined, the societies' representatives select a chairman and determine whose names are submitted to the Governor for consideration. The Board staff is present only to assist the nominating committee in transmitting their deliberations to the Governor.

If you are interested in serving on the Board, you may contact your professional society representative, or contact the Board office, for more details.

Short Notes



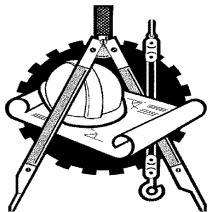
**** Roster of Licensees** - The 2002 Roster of Licensees will be sent in June to all those who requested a copy.

The new procedure of providing a copy by request instead of sending one to all licensees reduced the number printed by almost half thus reducing the printing and mailing costs. If you did not return the post card identifying that you wish to receive the roster and wish to have one, please contact the Board office.



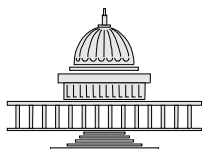
**** Electronic Signatures** - Recently the Alabama Legislature passed a bill on electronic commerce that provides guidance which supports federally passed legislation. The Board is currently looking at the electronic commerce

legislation to determine what changes are required for the Licensure Law and Administrative Code. The particular areas that are being reviewed will involve the use of electronic signatures. Two primary areas are involved. One will be to determine how and when electronic signatures can be used when sealing documents. The other will be to identify how and when electronic signatures can be used when submitting applications and renewals to the Board office. It is anticipated that the Board will be considering suggested language at their June board meeting. All changes that can be made in the Administrative Code without requiring changes to the Licensure Law will be made. Changes in the Licensure Law require legislation.



**** Participation in Knowledge Surveys** - At different times the Board is requested to provide NCEES a list of licensees. NCEES then uses that list to send questionnaires to our licensees to help determine what knowledge topics need to be included in the examinations. **PLEASE**

respond to the questionnaires when you receive them. The more inputs NCEES receives the better the examinations will be.



**** Sunset Process** - Every four years the Board's operation is reviewed by the Sunset Committee of the Alabama Legislature to determine if the Board should be continued. Auditors from the Public Examiners Office have begun the

audit phase of this process. Later this summer, the Sunset Committee will hold it's public hearings. The actual legislation will be introduced during the 2003 Legislative General Session.

**** Web Site Now Operational** - Please check out the Board's Web site at www.bels.state.al.us. The site has a licensure search capability, electronic forms, and board meeting dates. There is also an area on the home page where we will post announcements, such as reminders for filing deadlines and letting people know when exam scores have been mailed.



**** Administrative Code Changes** - The Board has recently made changes to the Administrative Code and are proposing additional changes.

The changes that were effective January 14, 2002 all involve Chapter 330-X-8 Examinations. No longer will an applicant be required to sit out a year after his or her application closes. The requirement for additional education prior to filing a new application following the closure of an application has been deleted. No one will be allowed to review failed examinations.

The Board has scheduled a public hearing to hear comments on proposed changes regarding minimum technical standards. The term "Minimum Technical Standards" is being replaced with "Standards of Practice for Surveying in the State of Alabama." The changes being proposed change the terminology and will also make it a requirement that all licensed land surveyors, regardless of their state of residence, must take a course in the Alabama standards.

2001 LICENSE STATISTICS

	PE	LS	PE/LS	TOTAL
Renewals				
Renewed	10,419	776	337	11,532
Reinstated	34	4	1	39
Sub Total	10,453	780	338	11,571
New Licensees				
By Exam	158	45		203
By Comity	468			468
Sub Total	626	45		671
TOTAL	11,079	825	338	12,242

Disciplinary Action

continued from page 4

Thomas C. Rider and Rider Engineering & Renovation, Bessemer, AL, agreed to a consent order for using the title PE and for Rider Engineering & Renovations having "Engineering" in its title. Mr. Rider was not a licensed AL PE nor did the company have a certificate of authorization. Mr. Rider agreed to pay a \$1,000 civil penalty and to pay \$336 for the cost of the board action, and he agreed to cease and desist offering or performing engineering until he should become licensed and certificated.

Alan J. Kane, Spring, TX, and Kane Environmental Engineering, Inc., agreed to a consent order for offering/performing engineering services for a client regarding air emissions at the client's facility in Frisco City, AL. Mr. Kane agreed to pay a \$500 civil penalty, to pay \$261 for the cost of the Board action, and he and the firm agreed to cease and desist offering or performing engineering until such time as they should become licensed/certificated.

John DeCoursey, Lineville, AL, and John-Co Engineering and Manufacturing, Inc., agreed to a consent order for offering and providing engineering services regarding a truss system for the West End Baptist Church, for using "Engineering" in his personal title and in his company's name, and for the firm not having a certificate of authorization. Mr. DeCoursey agreed to pay a \$2,500 civil penalty; to pay \$522 for the cost of the Board action; and he, and the firm, agreed to cease and desist offering or performing engineering until such time as they should become licensed/certificated.

James H. Deatherage, Knoxville, TN, a TN PE but not licensed in AL, agreed to a consent order for performing engineering testimony in four depositions. Mr. Deatherage agreed to pay a \$1,500 civil penalty, to pay \$336 for the cost of the board action, and he agreed that he would not offer or practice engineering services in this State until he should become licensed.

No Certificate of Authorization

Andrews Hammock & Powell, Inc., Macon, GA, agreed to a consent order for the firm offering and/or performing engineering services in Alabama without having a certificate of authorization. The firm agreed to a \$500 fine and that the firm will not offer or perform engineering services in Alabama unless it is qualified with a certificate of authorization.

Keith S. Vaughn, PE 23149, Anniston, AL, and C.A. Murren & Sons, Co., Inc., Bessemer, AL (branch office), agreed to a consent order for the firm's branch office offering and/or performing engineering services without having a certificate of authorization. The firm agreed to a \$500 fine and that the firm will not offer or perform engineering services unless it is qualified with a certificate of authorization.

Frank L. Kelly, Prichard, AL, and F. Kelly Group & Associates, Incorporated agreed to a consent order for offering engineering services without the firm being qualified with a certificate of authorization. The firm agreed to a \$500 civil penalty, to pay \$616 for the cost of the board action, and agreed the firm would cease and desist offering or performing engineering until it becomes certificated.

Steven Morgan, PE 20459, Clanton, AL, and GE Automation Services, Inc. agreed to a consent order for offering/performing engineering services in AL since April 2000 without the firm being qualified with a certificate of authorization. The firm agreed to a \$500 fine and that the firm will not offer or perform engineering services until it is qualified with a certificate of authorization.

Edward R Becker, PE 19456, Birmingham, AL, and Novus Utility Services, Inc. agreed to a consent order for offering and providing engineering services after the company's certificate of authorization lapsed January 31, 2001. Mr. Becker agreed to pay a \$100 per month fine for each month the firm's CA renewal was delinquent after January 31, 2001.

Tim Yarbrough, Moulton, AL, and Innovative Energy Technologies agreed to a consent order for offering and performing engineering services and for Mr. Yarbrough using the title "Engineer". Mr. Yarbrough agreed to pay a \$500 civil penalty and to pay \$435 for the cost of the Board action, and they agreed to cease and desist offering and performing engineering services until such time as they should become licensed/certificated.

David Olowokere, PE 19932, Birmingham, AL, and Unisult, Inc. agreed to a consent order for offering and providing engineering services after the firm's engineering certificate of authorization lapsed in August 1998. Mr. Olowokere agreed to pay a \$500 fine and that the firm will not offer or perform engineering services until it is qualified with a certificate of authorization.

Violations of Minimum Technical Standards

Frank B. Garrett, Jr., PE/LS 9500, Montgomery, AL, agreed to a consent order for violating Minimum Technical Standards on four surveys. He agreed to a \$2,000 fine, stayed suspension, two years probation, to complete a MTS course within six months, and to provide the first 10 copies of surveys he performed to the board.

Mitchell Hayden, PLS 12692, Pike Road, AL, agreed to a consent order for violating Minimum Technical Standards on a survey he completed on July 7, 2000. He agreed to a \$500 fine, two years stayed suspension, two years probation, and to complete a MTS course within six months.



In Memory Of

The Board has received notice of the deaths of the following licensees:

Professional Engineer

Alfred K. Allen	670
J. B. Carleton	1179
Manley A. Roose	1739
Thomas S. McDaniel, Mr.	1852
Harry E. Russell	2013
Edgar S. Greer, Jr.	2046
Griffin T. Key	2091
C. F. Von-Herrmann, Jr.	2252
Ernest C. Hofferbert	2640
Joseph W. Sledge, Jr.	2781
Allison M. Levy	3393
Charles G. Burnum	3471
James B. Johnson, Jr.	3508
Conrad D. Bailey	3639
Donald E. Freeman	3667
James Snow	4143
William D. Kelley	4385
Richard B. Johnson	4583
Gerald Chaikin	4638
Raul A. Darden	4925
William R. Cauthen	5009
Carl H. Maroney	5085
S. P. Landry, Jr.	5138
Harry S. Reisinger	5411
Donal R. Cieutat	5483
Donald F. Hardy	5544

James Lee Booth	5635
Robert K. Ryland	5649
David Bunkin	5680
Frederick A. Nichols	5886
Thomas A. Simpson	5973
E. S. Bingham, Jr.	6335
Clifford C. McMullen	6265
M. D. Pendleton, Jr.	6806
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